

1638. Misbranding of Vivogen. U. S. v. 173 Cases of Vivogen, and a number of booklets. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15358. Sample Nos. 28319-H, 28324-H.)

LABEL FILED: March 19, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about January 26 and February 2, 1945, by the Vivogen Co., from Los Angeles, Calif.

PRODUCT: 173 cases, each containing 4 1-gallon bottles, of *Vivogen*, together with accompanying booklets entitled, "Astonishing New Discoveries about Sickness which are Beneficial to Good Health * * * *Vivogen*," at Seattle, Wash. Analysis showed that the product consisted of diluted lime water and contained 0.07 gram of calcium hydroxide in each 100 cc.

NATURE OF CHARGE: Misbranding, Section 502 (a), because of false and misleading statements in the accompanying booklets which represented, suggested, and implied that the article would be efficacious in removing the causes and in the treatment of throbbing headaches, colds, catarrh, sinus troubles, ringing in the ears, impaired sight, vertigo, gall bladder pains, varicose veins, itching skin, aching bones, numb scalp, chapped hands, rash, eczema, sunburn, burns, cuts or scratches, abrasions, sprains, swellings, colds in the chest or head, chronic sores, acute abdominal pains, common fevers, influenza, pneumonia, ptomaine poisoning, constipation, high blood pressure, kidney and bladder troubles, Bright's disease, diabetes mellitus, asthma, cancer, arthritis, severe stomach trouble, gallstones, liver trouble, kidney trouble, stomach ulcers, mastoids, sore throat, blood poisoning, la grippe, neuritis, catarrh, rheumatism, and tumors. The article would not be efficacious for the purposes represented, suggested, and implied.

Further misbranding, Section 502 (e) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient.

DISPOSITION: April 11, 1945. The Vivogen Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered relabeled under the supervision of the Food and Drug Administration.

1639. Misbranding of Glanzyme. U. S. v. 26 Bottles of Glanzyme. Decree of condemnation and destruction. (F. D. C. No. 15141. Sample Nos. 80955-F to 80958-F, incl.)

LABEL FILED: February 7, 1945, Western District of Oklahoma.

ALLEGED SHIPMENT: Between the approximate dates of October 1 and December 21, 1944, from Lynwood, Calif., by the Ryer Dietary Supplements Co.

PRODUCT: 9 bottles of *Glanzyme No. 1*, 6 bottles of *Glanzyme No. 2*, 9 bottles of *Glanzyme No. 3*, and 2 bottles of *Glanzyme No. 6* at Oklahoma City, Okla. The products were accompanied, when introduced into and while in interstate commerce, by a booklet entitled "Vitamin, Mineral and Glandular Therapy."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the booklet were false and misleading since they represented and suggested (1) that the *Glanzyme No. 1* would serve as a female sex hormone supplement; that it would remedy subnormal sexual growth or development, or menstrual disturbances characterized by the absence of menstrual flow, or painful menstruation; that it would supplant the falling off of hormone flow throughout the pituitary-suprarenal-ovarian cycle in menopause; and that it would relieve the tension and discomfort caused by the upset condition attendant upon the change of life; (2) that the *Glanzyme No. 2* would be effective in the treatment of abnormal conditions attendant upon pregnancy and in the treatment of threatened abortion, or excessive menstruation (menorrhagia); (3) that the *Glanzyme No. 3* would be effective in the treatment of neurasthenia, mental apathy, and impotence; and (4) that the *Glanzyme No. 6* would be effective to supplement the adrenal glands and their functions; and that it would be effective as an aid in suprarenal deficiencies. The articles would not be efficacious for the purposes claimed.

Further misbranding, Section 502 (a), the subdesignation "Asthmazyme," appearing on the bottle label of the *Glanzyme No. 6* and in the booklet, was misleading since it represented and suggested that the *Glanzyme No. 6* would be an adequate treatment for asthma, whereas it would not be an adequate treatment for asthma.

Further misbranding, Section 502 (a), the designation "Glanzyme," appearing on the bottle labels of all the articles and in the booklet, was misleading